

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

AMERICAN PATENTS LLC,

Plaintiff,

v.

ANALOG DEVICES, INC., MARVELL
INTERNATIONAL, LTD., MARVELL
TECHNOLOGY GROUP LTD.,
MEDIATEK INC., MEDIATEK USA INC.,
QUALCOMM INCORPORATED, and
QUALCOMM TECHNOLOGIES, INC.,

Defendants.

CIVIL ACTION NO. 6:18-CV-356

JURY TRIAL DEMANDED

**ANSWER TO QUALCOMM INCORPORATED AND
QUALCOMM TECHNOLOGIES, INC.'S COUNTERCLAIMS**

Plaintiff American Patents LLC (“American Patents”) files this answer to the counterclaims of Qualcomm Incorporated and Qualcomm Technologies, Inc. (“Qualcomm”), based on its own knowledge as to itself and its own actions and based on information and belief as to all other matters, as follows. Any allegation not specifically admitted is denied:

1. Admitted that Qualcomm seeks a declaratory judgment with respect to the validity and infringement of the asserted patents. Otherwise denied.

THE PARTIES

2. Admitted that Qualcomm Incorporated and Qualcomm Technologies, Inc. are Delaware corporations with a place of business at 5775 Morehouse Dr., San Diego, California 92121. Otherwise denied.

3. Admitted.

4. Admitted.

5. Admitted that this court has jurisdiction over Qualcomm's Declaratory Judgment claims and subject matter jurisdiction over patent infringement and validity. Admitted that Qualcomm seeks a declaratory judgment with respect to the validity and infringement of the asserted patents. Otherwise denied.

6. Admitted that venue is proper in this District. Otherwise denied.

FIRST COUNTERCLAIM

(Alleged Non-Infringement of the '293 Patent)

7. American Patents hereby repeats and re-alleges the admissions and denials contained in paragraphs 1-6 above. Any allegation not specifically admitted is denied.

8. Admitted.

9. Denied.

10. Denied.

11. Admitted that Qualcomm seeks a declaratory judgment of non-infringement. Otherwise denied.

SECOND COUNTERCLAIM

(Alleged Invalidity of the '293 Patent)

12. American Patents hereby repeats and re-alleges the admissions and denials contained in paragraphs 1-11 above. Any allegation not specifically admitted is denied.

13. Admitted that American Patents has asserted that the claims of the '293 Patent are valid. Admitted that an actual case or controversy exists between Qualcomm and American Patents concerning whether the '293 Patent is valid and/or enforceable. Otherwise denied.

14. Denied.

15. Denied.

16. Admitted that Qualcomm seeks a declaratory judgment of invalidity. Otherwise denied.

THIRD COUNTERCLAIM

(Alleged Non-Infringement of the '058 Patent)

17. American Patents hereby repeats and re-alleges the admissions and denials contained in paragraphs 1-16 above. Any allegation not specifically admitted is denied.

18. Admitted.

19. Denied.

20. Denied.

21. Admitted that Qualcomm seeks a declaratory judgment of non-infringement. Otherwise denied.

FOURTH COUNTERCLAIM

(Alleged Invalidity of the '058 Patent)

22. American Patents hereby repeats and re-alleges the admissions and denials contained in paragraphs 1-21 above. Any allegation not specifically admitted is denied.

23. Admitted that American Patents has asserted that the claims of the '058 Patent are valid. Admitted that an actual case or controversy exists between Qualcomm and American Patents concerning whether the '058 Patent is valid and/or enforceable. Otherwise denied.

24. Denied.

25. Denied.

26. Admitted that Qualcomm seeks a declaratory judgment of invalidity. Otherwise denied.

FIFTH COUNTERCLAIM

(Alleged Non-Infringement of the '720 Patent)

27. American Patents hereby repeats and re-alleges the admissions and denials contained in paragraphs 1-26 above. Any allegation not specifically admitted is denied.

28. Admitted.

29. Denied.

30. Denied.

31. Admitted that Qualcomm seeks a declaratory judgment of non-infringement. Otherwise denied.

SIXTH COUNTERCLAIM

(Alleged Invalidity of the '720 Patent)

32. American Patents hereby repeats and re-alleges the admissions and denials contained in paragraphs 1-31 above. Any allegation not specifically admitted is denied.

33. Admitted that American Patents has asserted that the claims of the '720 Patent are valid. Admitted that an actual case or controversy exists between Qualcomm and American Patents concerning whether the '720 Patent is valid and/or enforceable. Otherwise denied.

34. Denied.

35. Denied.

36. Admitted that Qualcomm seeks a declaratory judgment of invalidity. Otherwise denied.

PRAYER FOR RELIEF

American Patents denies that Qualcomm is entitled to any of the relief for which it prays.

JURY DEMAND

American Patents demands a trial by jury on all issues so triable by right.

Dated: March 12, 2019

Respectfully submitted,

/s/ Stafford Davis

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